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10 Honorable Marsha J. Pechman
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12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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15 DIANNE L. KELLEY and KENNETH
16 HANSEN,

17 Plaintiffs,
18
19 v.
20

21 MICROSOFT CORPORATION, a Washington
22 Corporation,
23
24

Defendant.

NO. C07-0475 MJP

CLASS ACTION

[Proposed] ORDER GRANTING
PLAINTIFFS' MOTION TO
COMPEL DISCOVERY AND TO
DEEM CERTAIN REQUESTS FOR
ADMISSION "ADMITTED"

25
26 THIS MATTER came before the Court on Plaintiffs' Motion to Compel Discovery and to
27
28 Deem Certain Requests for Admission "Admitted" ("Motion"). Having reviewed the Motion
29 and the submissions of the parties, and otherwise being familiar with the issues, the Court finds
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31 that the following relief should be ordered.
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34 NOW, THEREFORE, IT IS HEREBY ORDERED as follows:
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37 1. Plaintiff's Motion is GRANTED.
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40 2. The following Requests for Admission ("RFAs") shall be deemed ADMITTED as
41 originally posed by plaintiffs: RFAs 4-6, 10-13, 16-23, 25, 27, 29, 31, 33, 45-46, 62, 64, 76-79,
42 80-93, and 97.
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45 [Proposed] ORDER GRANTING PLAINTIFFS' MOTION TO
COMPEL DISCOVERY AND TO DEEM CERTAIN
REQUESTS FOR ADMISSION "ADMITTED" - 1
No. C07-0475 MJP

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1 3. Defendant's objections to Requests for Production ("RFPs") 2-4 and 6-13 as set
 2 forth in Plaintiffs' First Set of Interrogatories and Requests for Production of Documents
 3
 4 Propounded to Defendant with Responses thereto, dated August 2, 2007, are hereby STRICKEN.
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6
 7 4. Defendants must provide full and complete responses to RFPs 2-4 and 6-13
 8 within seven (7) days from the date this order is entered.
 9

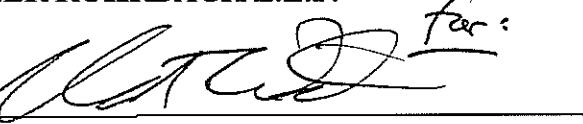
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 11 5. Defendant's objections to Interrogatory No. 5 and RFP 20, as set forth in
 12 Plaintiffs' Third Set of Interrogatories and Requests for Production of Documents Propounded to
 13 Defendant with Responses thereto, dated August 13, 2007, are hereby STRICKEN.
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 16 6. Defendants must provide full and complete answers and responses to
 17 Interrogatory No. 5 and RFP 20 within seven (7) days from the date this order is entered.
 18

19 DATED this _____ day of _____, 2007.
 20

21
 22 Presented by: _____ Honorable Marsha J. Pechman
 23
 24
 25

26 **GORDON TILDEN THOMAS & CORDELL LLP**
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 28 By 
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34 **KELLER ROHRBACK L.L.P.**
 35 By 
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40
 41 [Proposed] ORDER GRANTING PLAINTIFFS' MOTION TO
 42 COMPEL DISCOVERY AND TO DEEM CERTAIN
 43 REQUESTS FOR ADMISSION "ADMITTED" - 2
 44 No. C07-0475 MJP
 45

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CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following.

<u>Counsel for Defendant Microsoft Corporation</u> Stephen M. Rummage, WSBA #11168 Cassandra L. Kinkead, WSBA #22845 Charles S. Wright, WSBA #31940 Davis Wright Tremaine LLP 1201 Third Avenue Suite 2200 Seattle, Washington 98101-3045 steverummage@dwt.com cassandrakinkead@dwt.com charleswright@dwt.com	<u>Counsel for Defendant Microsoft Corporation</u> <u>- Admitted Pro Hac Vice</u> Charles B. Casper Montgomery, McCracken, Walker & Rhoads 123 South Broad Street Philadelphia, PA 19109 ccasper@mmwr.com
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By 
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[Proposed] ORDER GRANTING PLAINTIFFS' MOTION TO
COMPEL DISCOVERY AND TO DEEM CERTAIN
REQUESTS FOR ADMISSION "ADMITTED" - 3
No. C07-0475 MJP

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